UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/C.12/1998/NGO/5
1 October 1998

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS
Nineteenth session
16 November-4 December 1998

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Written statement submitted by the National Anti-Poverty Organization, a non-governmental organization in special consultative status with the Economic and Social Council

The Secretary-General has received the following written statement, which is distributed in accordance with Economic and Social Council resolution 1988/4.

[30 September 1998]

GE.98-18563 (E)

1. The National Anti-Poverty Organization (NAPO) is a non-profit, non-partisan, organization representing the 5.2 million Canadians currently living below the poverty line. NAPO has approximately 3,000 members, including 700 groups. All members of the Board of Directors must currently live or have lived below the poverty line and reflect Canada's regional diversity. NAPO is recognized by media, Government and non-governmental organizations as the voice of poor people across Canada.

2. The purpose of this statement is to provide a non-governmental perspective on Canada's level of compliance with the International Covenant on Economic, Social and Cultural Rights. This submission will focus on the effects of Canada's compliance, or non-compliance, in relation to the estimated 5.2 million Canadians living in poverty.

3. After ratifying the International Covenant on Economic, Social and Cultural Rights in 1976, Canada made steady progress in satisfying its national and international commitments of alleviating poverty and equalizing income disparity in Canada. Legislative schemes such as the Canada Assistance Plan (CAP) and Established Programs Financing (EPF) were indicative of Canada's commitment to increasing social and economic equality for all Canadians. Taking incremental steps, government social and economic policies began to reflect the notion that Canadians should be able to assert some measure of right to income and social security.

4. Unfortunately, the past decade has seen Canada's economic and social policies dominated by a series of reversals at the legal, administrative and institutional levels, resulting in increased poverty and hardship for low-income Canadians. As we move into the next millennium, federal and provincial policies have peeled back many of the gains of the past 30 years. NAPO is gravely concerned that the Government of Canada has allowed poverty to re-emerge as one of the country's most serious social problems.

5. Regarding the general tenor of the Government of Canada's third periodic report to the Committee, NAPO is deeply disappointed that both federal and provincial governments have failed to provide sufficiently detailed accounts of policies, programmes and directives, many of which adversely affect low-income Canadians. NAPO submits that until the Government of Canada develops, adopts and publishes clearly defined time lines, targets and indicators for measuring federal and provincial compliance with the Covenant, the Committee on Economic, Social and Cultural Rights and the Canadian people are not getting the whole story.

6. In previous reports to this Committee, NAPO has highlighted its concern that deficit reduction policies disproportionately affect the poor. It is without pleasure that NAPO reports that its predictions and concerns are being realized. Dramatic reductions in Employment Insurance eligibility, reduced transfer payments to the provinces for social assistance, post-secondary education and health care, and the introduction of complex tax incentives which are of little or no use to the poorest Canadians, all indicate that the Government is more concerned with saving money than effectively tackling the increasing disparity between rich and poor in Canada.

7. Since implementing the Canada Health and Social Transfer (CHST) in 1996, the Federal Government has consistently reduced social and health transfer payments to the provinces. Provincial governments have in turn reduced or eliminated social programme funding and supports, in many cases downloading costs to municipal governments. The results have been inadequate social programme funding, a proliferation of user fees, and increased regional disparity within and amongst provinces.

8. The Federal Government refers to its commitment to develop, in consultation with the provinces, principles, values and objectives to underlie the CHST. To date, over two years after the CHST was introduced, Canada has not established national standards with respect to social assistance, post-secondary education or further national standards in the area of health care. On the contrary, the uncertainty of federal-provincial relations has caused increased discrepancies in social assistance rates amongst provinces, devastating cuts to social service supports and entitlements, alarming increases to post-secondary tuition, and general skepticism about the level of health care Canadians can expect as we enter the twenty-first century.

9. Regardless of constitutional jurisdiction, NAPO believes the Government of Canada has a responsibility to provide stable funding and leadership to ensure that Canada's social programmes reflect the needs of all Canadians. The Federal Government must ensure regional equity in social and health services and post-secondary education. NAPO demands that the Government follow through with promises to maintain adequate and stable funding and to establish national standards that include meaningful mechanisms for enforcement. If recent provincial changes to economic and social policies are indicative of the direction Governments are taking, voluntary compliance is not enough to protect vulnerable, marginalized and effectively disenfranchised low-income Canadians from falling deeper into poverty.

10. The right of Canadians to gain their living by work which they accept or choose freely has been flagrantly disregarded by a majority of provincial governments who have, or are in the process of, implementing "work for welfare" (workfare) programmes. British Columbia, Alberta, Saskatcheqan, Quebec, New Brunswick and, most recently, Ontario have all implemented workfare schemes. The Manitoba government is currently considering implementing a workfare programme. Workfare programmes instituted by provincial governments require welfare recipients to work in order to receive social assistance benefits. In most cases, if a recipient refuses to work without "just cause", their benefits are reduced or eliminated.

11. The requirement of work outside the home in exchange for social assistance benefits represents a fundamental shift in the nature and purpose of social programmes. It is NAPO's position that the political and economic freedoms of the individual are blatantly violated by workfare programmes.

12. With respect to the right to an adequate standard of living and the improvement of living conditions, all indicators show that low-income Canadians are losing ground. Living conditions for low-income Canadians are deteriorating and government support for the poor is declining. Poverty is more prevalent today than it has been in the last three decades, especially

for children. The incidence of food bank use is skyrocketing. The availability of social housing is shrinking. Homelessness is on the rise and emergency shelters are overcrowded.

13. As a result of financial cutbacks, legislative and regulatory changes, and jurisdictional downloading, most of Canada's urban centres are experiencing a critical lack of affordable, safe and secure housing. As low-income Canadians are forced to use scarce financial resources to pay higher shelter costs or risk homelessness, they are having to rely more on limited charitable community services for basic necessities such as food and clothing. In a country where an abundance of nutritious food is produced, it is unconscionable that low-income Canadians must turn to food banks in order to have their basic nutritional needs met.

14. In light of these blatant examples of disregard for the economic and social rights of low-income Canadians, NAPO respectfully appeals to this Committee to direct the Government of Canada to stop ignoring its obligations under the International Covenant on Economic, Social and Cultural Rights. Canada's federal and provincial governments ratified the Covenant in good faith. They must now demonstrate that their commitment is genuine by upholding promises made to the Canadian people over 20 years ago.